

COUNTY OF YORK

MEMORANDUM

DATE: February 12, 2003 (BOS Mtg. 2/18/03)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. UP-610-02 (amended), Kenneth Dale Moore

ISSUE

Application No. UP-610-02 requests a Special Use Permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize the construction of a mini-storage warehouse facility on 2.6 acres of land located on the south side of Hampton Highway (Route 134) approximately 900 feet east of its intersection with Big Bethel Road (Route 600). The parcel is further identified as Assessor's Parcel No. 37-158.

DESCRIPTION

- ? Property Owner: A. B. Southall, Jr. (The applicant is contract purchaser.)
- ? Location: Hampton Highway (Route 134), approximately 900 feet east of its intersection with Big Bethel Road (Route 600).
- ? Area: 2.6 acres of a 6.3-acre parcel
- ? Frontage: Approximately 650 feet on Hampton Highway (Route 134). The portion of the parcel designated for mini-storage has 50 feet of frontage on Hampton Highway.
- ? Utilities: Public water and sewer
- ? Topography: Flat
- ? 2015 Land Use Map Designation: General Business and High-Density Residential
- ? Zoning Classification: GB – General Business
- ? Existing Development: None
- ? Surrounding Development:
 - North: Hampton Highway; Single-family residences beyond
 - East: Bethel Manor housing complex
 - South: Belmont Apartments
 - West: Wash-Moore car wash; Big Bethel Road beyond
- ? Proposed Development: Mini-storage warehouse facility

BACKGROUND

This is the fourth version of a request that was first submitted in January 2000 when the applicant applied for a Special Use Permit to construct approximately 60,000 square feet of mini-storage space within 14 warehouses on this property. The Planning Commission recommended denial of the application on March 22, 2000. The applicant subsequently made revisions to his sketch plan and, at his request, the Board remanded the application to the Commission for reconsideration. The revised plan was a scaled-down version of the original plan, with eleven buildings housing 40,000 square feet of mini-storage space. The Commission considered the revised application at its September 13, 2000 meeting and again recommended denial. The Board subsequently denied the application on October 17, 2000. Section 24.1-115(b)(7) of the Zoning Ordinance states that “(w)hen the board has acted on an application for a special use permit and has denied it, no other application for substantially the same request shall be considered until one (1) year has elapsed from the date of the board’s action.” More than a year passed after the original application was denied, and the applicant submitted Application No. UP-610-02 to construct a 50,000-square foot mini-storage facility in this location. The Commission considered this application at its October 9, 2002 meeting and, after conducting a public hearing, voted 6:0 to recommend denial (Mr. Heavner absent). The applicant modified his sketch plan and, at his request, Board remanded the application to the Commission for reconsideration. The Commission considered the revised application at its regular meeting on January 8, 2003 and voted 3:2 (Mr. Simasek absent) to recommend denial.

CONSIDERATIONS/CONCLUSIONS

1. The site of the proposed mini-storage warehouse facility is immediately east of the Wash-Moore car wash facility (also owned by the applicant) located at 3010 Big Bethel Road. The Comprehensive Plan designates this general area of the County for General Business and High-Density Residential development, and the parcel is zoned GB (General Business). The applicant has submitted two alternative sketch plans for the property, referred to hereafter as Alternative #1 and Alternative #2.
 - ? Under **Alternative #1**, the applicant proposes to construct approximately nine (9) storage buildings totaling 52,800 square feet in area, along with a separate 3,375-square foot manager’s office. Two of the buildings would be square-shaped climate-controlled storage buildings, each with a building footprint of 10,000 square feet, in which the units would be accessed through a central hallway. The remaining seven buildings would be standard mini-storage warehouses with a total of 126 units.
 - ? **Alternative #2** differs from Alternative #1 in that there would be only one square-shaped climate-controlled storage building in which the units would be accessed through a central hallway. It would be located to the rear of the property behind two standard mini-storage warehouse buildings. Although the number of storage buildings would be higher (ten), the total amount of storage space would be lower (50,300 square feet). The table below compares the applicant’s two alternative plans and the original plan.

Original Proposal	Amended Proposal – Alt. #1	Amended Proposal – Alt. 2
9 storage buildings	9 storage buildings	10 storage buildings
49,100 sq. ft. of storage space	52,800 sq. ft. of storage space	50,300 sq. ft. of storage space
Two square-shaped climate-controlled buildings	Two square-shaped climate-controlled buildings	One square-shaped climate-controlled building
Office parking located along driveway to the front of the property	Office parking located behind office building	Office parking located behind office building
One entrance for the development; no limitation on additional entrances	One joint entrance for the entire parcel	One joint entrance for the entire parcel
Split-face block facades	Architectural block facades on all outward-facing walls; long facades broken with architectural variation; peaked rooflines with green metal roofing	Architectural block facades on all outward-facing walls; long facades broken with architectural variation; peaked rooflines with green metal roofing
Monument-type sign	Masonry monument-type sign	Masonry monument-type sign
No fencing details	Wrought-iron fencing	Wrought-iron fencing
24-hour camera surveillance	24-hour camera surveillance	24-hour camera surveillance
No dumpsters	No dumpsters	No dumpsters

2. The subject parcel is approximately 950 feet wide and 300 feet deep and runs along Hampton Highway (Route 134) and behind a single-family detached home. The applicant no longer plans to subdivide the 2.6-acre parcel into two parcels (one for the free-standing office and one for the mini-storage warehouses). Rather, he plans to develop the site as a whole with the proposed mini-storage warehouse development and a separate office building (which is permitted as a matter of right and is not part of this application) occupying 2.6 acres on the westernmost portion, leaving the 3.2-acre easternmost piece (shown as Parcel “B”) for future development but able to be served by the joint driveway common to both parcels. In addition, the applicant has indicated that Parcel B has deeded access rights to the entrance drive serving the adjacent Belmont Apartments.
3. The subject parcel is within a General Business node that has been designated at the intersection of Hampton Highway and Big Bethel Road. The Comprehensive Plan is very specific in its emphasis on promoting nodal rather than strip commercial development along the Route 134 corridor:

“Additional commercial development in this area is proposed to be concentrated around the Big Bethel Road/Hampton Highway intersection. This type of nodal development has the advantages of limiting the number of curb cuts and encouraging an economically efficient concentration of uses on commercial sites. Small and scattered individual parcels, in contrast, hinder internal circulation, cause deterioration of roadway capacity and can create a “strip” commercial atmosphere. The preferred development within this node includes concentrations of commercial activity such as typically found in shopping centers and small office centers...”

This strategy for the Route 134 corridor dates back to the County’s previous land use plans adopted in 1991, 1983, and 1976. The 1991 Comprehensive Plan had essentially

the same language and the 1983 Land Use Plan states that “(a)s in the original Plan, a General Commercial designation has been located at the intersection of Route 134 and Big Bethel Road. This nodal designation is made in an effort to promote concentrated commercial development along Route 134 as opposed to the strip commercial development characteristic of other major thoroughfares in the County.” The 1976 Land Use Plan designates most of the Route 134 corridor for medium- and high-density residential development, with opportunities for “convenience shopping activities” at the Big Bethel Road intersection in accordance with the stated goals of “regulating strip commercial activities” and “regulating activities along major arterials.” More recently, the Commission and the Board reaffirmed this strategy in the 1999 Comprehensive Plan update, particularly the sub-area description and land use designations as they relate to this intersection and the area surrounding it. I acknowledge, as the applicant’s agent has noted in his November 19, 2002 letter, that the Comprehensive Plan’s “nodal” designation does not state the shopping centers and office centers are the only uses appropriate in such areas. In fact, there are many uses permitted in the GB district as a matter of right or by Special Use Permit that could be attracted to this site and, in that regard, this application does introduce a degree of certainty as to how the property will develop.

4. When the first mini-storage proposal for this parcel was considered two years ago, the applicant stated that this property was considered for development by a large grocery store chain several years prior but was ultimately rejected largely because of a lack of depth (300 feet vs. the preferred minimum of 575 feet for at least one shopping center development firm). It is true that all the shopping centers along the Route 17 corridor that have (or used to have) grocery stores have a parcel depth of at least 600 feet. However, it is also true that there are several shopping centers in the County that do not have grocery stores – including the Kiln Creek Shopping Center located on the southern end of Route 17 and with a depth of about 275 feet – where the parcel depth is equal to or less than that of the subject parcel. There are also numerous office/shopping complexes in the County located on parcels that have the same or less depth than the subject parcel. These include Harwood Village, Pilgrim Village, Schroeder Center, Tabb Lakes Center, and Tabb Square. While the parcel’s current size and configuration may not be sufficient for a large grocery store operation, it should be able to support a small shopping center, office complex, or retail store. However, building 9-10 mini-storage warehouses and a small office building on 40% of the parcel will further diminish its attractiveness for the larger-scale user.

Previous staff reports have also noted the possibility of assembling this parcel with the two smaller parcels located along Route 134 at its western end. One of the two parcels is vacant and a nonconforming house is located on the other and it is unlikely that these two commercially zoned parcels will remain in their current state for a long period of time. Mr. Myers has addressed the potential for these parcels in his November 19th letter, and I believe his theory to be plausible as well, having observed the same kinds of conversions at the Route 134/Yorktown Road intersection.

In summary, I believe the subject parcel has potential for a variety of uses, some with an immediate market and some – just like many commercial parcels in the County – with a longer-term market. Some of those future development scenarios might be strong

enough to allow the parcel assemblage discussed above; others might not. The ideal scenario would be assemblage and a consolidated development; however, that does not mean, nor does the Comprehensive Plan suggest, that other proposals should not be considered.

5. As part of this application the applicant's agent has submitted fiscal impact figures (see attachment to November 19th letter) intended to demonstrate that the tax-generating potential is not substantially lower for a mini-storage facility on a 2.6-acre site than it would be for an office complex or shopping center on the same site. This is because the parking requirements for mini-storage are somewhat lower, thus allowing square footage to be built. However, the applicant's conclusion is based on a comparison of Real Estate Tax assessments for selected offices and just two of the existing mini-storage facilities in the County. A more complete analysis (as shown in the table below) shows that the average assessment per acre for mini-storage warehouse facilities in the County is in fact lower than the applicant's agent has indicated (\$401,542 vs. \$522,476). In fairness to the applicant, however, it should be noted that the assessed value per acre of his existing Stor-Moore facilities is higher than average, and it is likely that the proposed development would be comparable.

Name	Location	2002 Assessed Value	Land Area (Acres)	2002 Assessed Value per Acre
A-1 Self-Storage	East Rochambeau Dr.	\$1,730,700	5.22	\$331,552
American Classic Self-Storage	Merrimac Trail	\$1,411,800	4.13	\$341,840
Jack Rabbit Self-Storage	Merrimac Trail	\$2,104,000	4.72	\$445,762
Public Storage	Route 17	\$1,359,500	3.02	\$450,166
Stor-Moore I	Route 17	\$1,523,500	3.14	\$485,191
Stor-Moore II	Wolftrap Road	\$1,142,000	2.2	\$519,090
Victory Self-Storage	Route 17/Darby Rd	\$1,453,700	4.28	\$339,650
Total		\$10,725,200	26.71	\$401,542

I also do not believe that all of the office buildings selected by the applicant's agent for inclusion in his fiscal impact analysis – which include a 2,800-square foot office building on Route 17 and a 4,600-square foot office building on Route 134 – are truly representative of the type of development that the Comprehensive Plan envisions for this area. Harwood Village and Pilgrim Village on Route 17, both of which are assessed at over \$1 million per acre, are more reflective of the type of office complex that I believe a site of this size could support. For these reasons, I believe that the amount of “lost” real estate tax revenue resulting from the construction of the proposed development would be approximately twice the applicant's estimate of \$5,481 per year.

Another, perhaps more significant, shortcoming of the applicant's fiscal impact analysis is that it considers only the Real Estate Tax and not the Business Personal Property Taxes that would be generated by office/retail development or the Sales Taxes that would be generated by retail development. It is impossible to predict how much revenue such taxes could potentially generate on this parcel, but the Economic Development element of the Comprehensive Plan (and the original 1991 plan) estimates that light industrial development typically generates a little over half as much total tax revenue, on

a per acre basis, as office development, and less than one-sixth as much tax revenue as retail development. In fact, the ratios are probably even higher when compared against mini-storage warehouses since the latter, unlike most light industrial development, generate no Machinery and Tools Tax revenue and little if any Business Personal Property Tax revenue.

Obviously, to compare the total fiscal impact of a proposed mini-storage facility with what might otherwise be built in the same location is extremely speculative. Suffice it to say that there is an opportunity cost associated with the proposed development and that the likely fiscal loss to the County, in my opinion, is somewhat greater than the applicant's agent asserts.

6. As noted by staff in reviews of this and all previous mini-storage applications, mini-storage warehouses do not generate significant traffic; in fact, the proposed warehouses would generate less traffic (an estimated 126-132 trips per weekday) than almost any other commercial use. Based on the Institute of Transportation Engineers (ITE) Trip Generation manual (6th Edition), staff estimates that the proposed warehouse facility would generate approximately 126 to 132 trips per weekday. This application is therefore consistent with at least one goal of the Comprehensive Plan, which is to "reduce peak-hour traffic congestion on major County arteries." However, it should be noted that, according to a June 2001 report prepared by the Hampton Roads Planning District Commission, entitled Congestion Management System for Hampton Roads, Virginia 2001, this segment of Hampton Highway (from Big Bethel Road to the Hampton city line) is projected to continue to operate at acceptable Levels of Service¹ in both the AM and PM peak hours at least through the year 2021 (LOS B in the AM peak hour and LOS C in the PM peak hour). The 3,775-square foot office building would likely generate an additional 32 trips per weekday as a general office building, or 104 trips per weekday as a medical office (as in the original application). Therefore, the total estimated trip generation of the 2.6-acre site if developed as proposed by the applicant ranges from a low of 158 to a high of 236 trips per weekday. Alternatively, if the entire 2.6 acres were developed as general office space, the traffic impact, according to the applicant, would be an estimated 275 trips per weekday. If developed as a small strip shopping center, the site could be expected to generate up to 934 trips per weekday (60 in the AM peak hour), as estimated by staff.
7. The applicant's original plan proposed a single entrance on Hampton Highway to serve both the mini-storage facility and a proposed medical office. Staff expressed concern that this would leave open the likelihood of at least one additional entrance on Hampton Highway when the remaining 3.2-acre portion is developed. In response to these concerns, the applicant has revised the plan to include a single shared entrance to serve the **entire** parcel, including the mini-storage complex, the office building, and the remaining 3.2 acres. I applaud and support this change, which is consistent with the nodal development concept as articulated in the Comprehensive Plan. However, a use permit condition limiting the parcel to a single entrance probably would not prohibit the

¹ Roadway Levels of Service (LOS) range from A (defined as free-flow operations) to F (defined as breakdown). LOS B is defined as "reasonable free flow" and LOS C is defined as "stable operations." LOS E and F are considered unacceptable.

remaining property from being further subdivided at some future time, in which case, at least one additional entrance would be permitted as a matter of right. Therefore, to prevent such a scenario from occurring, I recommend the inclusion of a condition requiring that a ten-foot (10') restricted access easement be recorded across the entire Hampton Highway frontage of the parcel. This will ensure that all access to any future development will be internal to the site, or from the Belmont Apartments entrance drive.

8. The proposed development would be visible to some extent from both Big Bethel Road and Hampton Highway. Staff has consistently maintained that any request to establish a mini-storage facility along Route 134, which is a greenbelt corridor, should be accompanied by outstanding aesthetic and site treatments to protect and preserve the visual appeal of this important corridor. The applicant has provided a narrative description of the aesthetic treatment of the proposed development, stating that both the mini-storage facility and the office building would be architecturally compatible with both the Wash-Moore car wash facility and the Belmont apartment complex to the south. Specifically, the outward-facing walls would be constructed of architectural block utilizing the same color scheme as the car wash and the apartment complex. All bay doors would face inward (i.e., away from Hampton Highway and Big Bethel Road), as required by the Zoning Ordinance performance standards applicable to all warehousing units. The applicant has also submitted a rendering depicting the appearance of the proposed facility as seen from Hampton Highway. I believe that these proposed architectural features are comparable to those proposed for the "Storing Crew" project (at the Shady Banks Shopping Center), which was recommended for approval by staff and the Planning Commission but ultimately denied by the Board.

A 35-foot greenbelt buffer must be retained along the Route 134 frontage of the property. The majority of the warehouse development would extend behind a vacant 0.28-acre triangular parcel and a nonconforming single-family detached house, both of which abut Hampton Highway. The triangular shape of these adjacent parcels, the shallow depth of their eastern end, and the greenbelt and perimeter landscaping requirements of the Zoning Ordinance should combine to ensure that they continue to provide at least a partial visual buffer of the mini-warehouse facility even if they are redeveloped at some future time. A Type 25 (25') transitional buffer will be required at the rear of the property adjacent to the Belmont Apartments. As was the case when this application was first considered in 2000, I am concerned that the minimum landscaping standards of the Zoning Ordinance will not be sufficient to buffer this particular use from the adjacent roadways, apartments, and other parcels. The applicant has indicated that "a landscaped buffer will be provided along the entire perimeter of the project" and that there will be "extensive tree and landscape screening along the street" but has provided no details as to species or planting ratios. As with the original application, I believe that if the Board chooses to approve this application, conditions should be included in the approving resolution that require increased planting ratios along all sides of the development in order to ensure that adequate screening is provided and properly maintained. This same type of condition was included in the recommendation for the Storing Crew project.

9. The applicant plans to construct a ground-mounted monument-type sign to identify the development. Staff has consistently included this as a condition of approval for

proposed mini-storage warehouses on Hampton Highway, and such a condition is included in the proposed resolution, should the Board choose to approve this application.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered the revised application at its regular meeting on January 8, 2003 and, subsequent to conducting a public hearing at which only the applicant and his agent spoke, voted 3:2 (Mr. Simasek absent) to recommend denial.

COUNTY ADMINISTRATOR RECOMMENDATION

Since June 1999 there have been three applications for mini-storage warehouse facilities along Route 134, all of which were ultimately denied. Reasons for denial cited by the Planning Commission and the Board include the inconsistency of such proposals with the Comprehensive Plan's emphasis on promoting nodal rather than strip commercial development along the Route 134 corridor as well as the lack of a significant fiscal benefit to the County. Aesthetic issues have also been a concern with regard to some of these applications.

The applicant's proposal to limit the parcel to a single shared entrance, if guaranteed through the recordation of a restricted access easement, helps to resolve my concerns about uncoordinated development. Furthermore, as stated in the previous staff reports, the traffic impact of a mini-storage facility is much less than that of many other uses that would be permitted under the current zoning. In addition, the applicant's attention to aesthetics and architectural upgrades should ensure an attractive facility if the application is approved. Approval of this proposal would provide a degree of certainty with respect to development of the site (in contrast to letting market forces "pick" from the list of permitted uses in the GB district). Finally, development of the proposed mini-storage facility would generate an immediate increase in tax revenue from the parcel (i.e., as a result of the physical improvements). Nevertheless, it does not alter the fact that mini-storage warehouse facilities on commercial or industrial land represent a long-term fiscal loss to the County when compared to what might have been located at that particular site in their stead, and the lack of commercially zoned property along Route 134 places the few vacant sites at a premium. This particular property is the largest commercially zoned parcel along Route 134 east of Route 171 which, in my opinion, makes it worthy of careful scrutiny as to its ultimate use. Staff's previous recommendations of denial of this application, both two years ago and again in October 2002, were based less on aesthetics than on staff's belief that mini-storage warehouses are not an appropriate use for this site. To eliminate or risk the viability of a large portion of this commercial node for a use that generates limited revenue for the County is not, in my opinion, what the Comprehensive Plan envisions, although this project has some positive attributes (as were enumerated by the applicant's representative in his presentation to the Planning Commission – see PC January 8, 2003 minutes excerpt).

In short, as with many other commercial properties in the County, I believe there is a greater long-term potential for this property. Therefore, based on the considerations as noted, I recommend that the Board deny this application. This may be accomplished through

the denial of proposed Resolution No. R03-17. This resolution recommends approval of Alternative #2, which would appear to have a marginally less intense visual impact from Hampton Highway; it also contains a series of recommended conditions in the event that the Board wishes to approve the application.

Carter/3337:TCC

Attachments

- ? Excerpts of Planning Commission minutes, January 8, 2003
- ? Zoning Map
- ? Original Sketch Plan
- ? Revised Sketch Plan – Alternative #1
- ? Revised Sketch Plan – Alternative #2
- ? Building Elevation
- ? Letter from Lamont D. Myers to James O. McReynolds dated November 19, 2002 w/ attachments
- ? Letter from Lamont D. Myers to James O. McReynolds dated November 25, 2002
- ? Letter from Lamont D. Myers to James O. McReynolds dated November 26, 2002
- ? Excerpts from approved Planning Commission minutes, March 22, 2000
- ? Excerpts from approved Planning Commission minutes, September 13, 2000
- ? Excerpts from approved Board of Supervisors minutes, October 17, 2000
- ? Excerpts from approved Planning Commission minutes, October 9, 2002
- ? Resolution No. R02-206
- ? Proposed Resolution No. R03-17